

Message Text

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PAGE 01 BANGKO 01927 190840Z
ACTION HA-05

INFO OCT-01 ISO-00 EA-10 ONY-00 /016 W
-----053798 192302Z /63
R 190748Z JAN 78
FM AMEMBASSY BANGKOK
TO SECSTATE WASHDC 8407
USMISSION GENEVA

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USMISSION GENEVA FOR ASSISTANT SEC. DERIAN;
SECSTATE WASHDC FOR EA (HOLBROOKE) AND HA/HM ONLY

EO 11652: N/A
TAGS: SHUM, TH
SUBJ: ASSISTANT SECRETARY DERIAN VISITS OCTOBER 6 DEFENDANTS

REF: BANGKOK 1817

SUMMARY: MS. DERIAN HELD A 45 MINUTE PRIVATE CONVERSATION WITH SIX OF THE "THAMMASAT 18", INCLUDING EX-STUDENT LEADER SUTHAM SAENGPRATHUM, AT BANGKWANG PRISON ON JANUARY 18. DEFENDANTS CHALLENGED JURISDICTION OF MILITARY COURT, COMPLAINED OF HARASSMENT OF DEFENSE LAWYERS BY RIGHTIST ELEMENTS, AND THANKED MS. DERIAN FOR OFFICIAL U.S. INTEREST IN THEIR CASE AND FOR CAUSE OF HUMAN RIGHTS GENERALLY. DEFENDANTS APPEARED WELL TREATED; CONDITIONS OF DETENTION APPEAR TO BE SATISFACTORY. END SUMMARY.

1. ON JANUARY 18, ASSISTANT SECRETARY DERIAN VISITED BANGKOK'S BANGKWANG PRISON, WHERE SHE MET WITH SIX OF THE 18 YOUTHFUL DEFENDANTS WHO ARE BEING HELD PENDING THE OUTCOME OF THEIR TRIAL BEFORE A MILITARY COURT ON CHARGES RANGING FROM COMMUNIST ACTIVITY TO TREASON AND LESE MAJESTE IN CONNECTION WITH THE VIOLENCE AT THAMMASAT UNIVERSITY, WHICH PRECEDED THE COUP D'ETAT ON OCT. 6, 1976. MS. DERIAN WALKED THROUGH THE PRISON GROUNDS AND VIEWED
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THE DEFENDANTS' LIVING QUARTERS.

2. MS. DERIAN, ACCOMPANIED BY DEPUTY ASSISTANT SECRETARY SIEVERTS, TALKED PRIVATELY FOR NEARLY 45 MINUTES WITH SUTHAM SAENGPRATHUM, FORMER SECRETARY GENERAL OF THE NATIONAL STUDENT CENTER OF THAILAND, AND FIVE OTHER ACTIVISTS, INCLUDING WIROT TANVANICH, ABINAN BUAHABHAKDI, PRAPHON WANGSIRIPITAK, SURACHAT

BUNRUNGSUK, AND ANUPONG PONGSAWAN. ALSO PRESENT WAS BUNCHAT SATHIENTHAM, A FORMER STUDENT PRESENTLY ON TRIAL BEFORE A THAI CIVILIAN COURT ON CHARGES OF LESE MAJESTE STEMMING FROM THE ALLEGED MOCK HANGING OF THE CROWN PRINCE ON OCTOBER 4, 1976. THE DEFENDANTS EXPRESSED THEIR APPRECIATION FOR THE CONCERN SHOWN BY MS. DERIAN AND ASKED FOR ASSURANCES THAT U.S. HUMAN RIGHTS POLICIES ARE A GENUINE REFLECTION OF AMERICAN INTERESTS. MS. DERIAN REPLIED THAT SHE HOPED HER VISIT WAS SUFFICIENT EVIDENCE THAT U.S. HUMAN RIGHTS POLICIES ARE INDEED GENUINE. SHE ASSURED THE DEFENDANTS THAT AMERICA MAINTAINS A CONTINUING INTEREST IN SUPPORTING THE PRINCIPLE OF THE RULE OF LAW AND ACCESS FOR ALL CITIZENS TO INTERNATIONALLY ACCEPTED PROCEDURES OF DUE PROCESS.

3. THE DEFENDANTS RAISED THREE CENTRAL POINTS: 1) CIVILIAN RATHER THAN MILITARY COURTS SHOULD HAVE JURISDICTION OVER THE "THAMMASAT 18" CASE; 2) "RIGHTIST GROUPS", SUPPORTED BY SOME HIGH RANKING GOVERNMENT OFFICIALS, ARE HARASSING DEFENSE LAWYERS (REFTEL); 3) INTERNATIONAL CONCERN HAS BEEN INSTRUMENTAL IN SECURING LEGAL REPRESENTATION AND IMPROVED DETENTION CONDITIONS.

4. MS. DERIAN INQUIRED AS TO THE DEFENDANT'S STATE OF HEALTH, LIVING CONDITIONS AT THE PRISON, AVAILABILITY OF BOOKS AND WRITING MATERIALS, AND FEAR OF POSSIBLE REPRISALS BY AUTHORITIES AS A RESULT OF HER VISIT. THE DEFENDANTS REPLIED THEY HAD NO COMPLAINTS ABOUT CONDITIONS AND HEALTH CARE, BUT THEY HAD NO WAY OF KNOWING ABOUT THE POSSIBILITY OF REPRISALS. HOWEVER, THEY SHOWED LIMITED OFFICIAL USE

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NO SIGNS OF FEAR OR RELUCTANCE TO ENGAGE IN CONVERSATION.

5. FOLLOWING HER CONVERSATION, MS. DERIAN WAS INVITED TO VISIT THE DEFENDANTS' LIVING QUARTERS. SHE NOTED THAT CONDITIONS OF DETENTION AT BANGKWANG COMPARE VERY FAVORABLY TO MOST OTHER PRISONS SHE HAS VISITED. ON LEAVING, MS. DERIAN WISHED THE DEFENDANTS JUSTICE AND THANKED OFFICIALS FROM THE RTG CORRECTIONS DEPARTMENT FOR THEIR COOPERATION.

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: VISITS, POLITICAL PRISONERS
Control Number: n/a
Copy: SINGLE
Draft Date: 19 jan 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978BANGKO01927
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780029-0661
Format: TEL
From: BANGKOK
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780147/aaaabnhz.tel
Line Count: 103
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 22f13be2-c288-dd11-92da-001cc4696bcc
Office: ACTION HA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: ONLY
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: ONLY
Reference: 78 BANGKOK 1817
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 28 apr 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3750558
Secure: OPEN
Status: NATIVE
Subject: ASSISTANT SECRETARY DERIAN VISITS OCTOBER 6 DEFENDANTS
TAGS: SHUM, TH, (DERIAN, PATRICIA M)
To: STATE GENEVA
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/22f13be2-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014